



Health Care Worker Registry, 525 W. Jefferson St., Fourth Floor, Springfield, IL 62761  
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## FREQUENTLY ASKED QUESTIONS: EMPLOYERS

### WEB PORTAL ACCESS

#### I NEED TO RESET MY PASSWORD. WHAT SHOULD I DO?

You will need to contact the Department of Innovation and Technology (DoIT) Helpdesk. The Helpdesk can be reached at (217) 524-3648 or (866) 220-5247.

#### CAN OUR FACILITY USE THE SAME E-MAIL ACCOUNT FOR ALL USERS?

No. Each user of the Health Care Worker Registry (HCWR) must have his/her own user ID, password, and e-mail account.

#### ONE OF MY COLLEAGUES HAS LEFT OUR FACILITY. CAN I USE HIS/HER ID AND PASSWORD?

No. Each HCWR user must have his/her own user ID and password. **User IDs cannot be shared.** Sharing user IDs and passwords can result in having access to the HCWR disabled until you register for your own user ID.

#### WHAT IS A PRA?

The Portal Registration Authority (PRA) is the main contact or liaison between your facility and the Illinois Department of Public Health (IDPH). The PRA approves additional HCWR users as necessary. The PRA is also responsible for notifying IDPH when he/she will be leaving the facility, when other HCWR users no longer require access, or for any additional changes to contact information.

#### WHAT DO WE DO IF OUR FACILITY MOVES TO A NEW ADDRESS?

The PRA must send all details of the move (address, phone numbers, etc.) to the HCWR. That information may be e-mailed to [dph.hcwr.pra@illinois.gov](mailto:dph.hcwr.pra@illinois.gov), or it may be faxed to (217) 524-0137.

## FINGERPRINTS/BACKGROUND CHECKS

### WHICH EMPLOYEES NEED TO BE FINGERPRINTED FOR A BACKGROUND CHECK?

Health care employers must ensure that a fingerprint-based background check, initiated as a Fee Applicant Inquiry to the Illinois State Police, has been conducted for each employee **who falls under the jurisdiction of the Health Care Worker Registry (HCWR)**. The HCWR is governed by the Health Care Worker Background Check Act [[225 ILCS 46](#)] and the Health Care Worker Background Check Code [[77 Ill. Adm. Code 955](#)]. The Act and the Code mandate which employees fall under the jurisdiction of the HCWR.

The only employees who fall under the HCWR's jurisdiction are **unlicensed** staff providing direct care or **unlicensed staff in long-term care facilities** who have access to resident's living quarters or records. **Licensed staff** (such as nurses) **do not fall under the HCWR jurisdiction** and should not be added to the HCWR or sent for a fingerprint-based background check through the HCWR. Likewise, staff who do not provide direct care (**except for access workers in long-term care facilities**) also **do not fall under the HCWR jurisdiction**; those staff should not be added to the HCWR or sent for a fingerprint-based background check through the HCWR.

The following types of employees fall under the HCWR's jurisdiction:

- For **all** health care employers - an **unlicensed** individual employed as a home health care aide, a nurse aide, a personal care assistant, a private duty nurse aide, a day training personnel, or an individual working in any similar health-related occupation **where he/she provides direct care**
- Additionally, for **long-term care facilities ONLY** - an **unlicensed** individual who has or may have contact with **long-term care residents** or access to the living quarters or financial, medical, or personal records of **long-term care residents** (access workers)

Employers may have policies that require fingerprint-based background checks to be completed on **all** employees. For staff that do not fall under the jurisdiction of the HCWR, however, **employers must have an alternative way to conduct those background checks**. Background checks for those employees **cannot be initiated through the HCWR**. If a background check for an employee who does not fall under the jurisdiction of the HCWR discloses disqualifying convictions, the HCWR **cannot process a waiver application** for that employee, since that employee is not under our jurisdiction.

### WHAT IS A UCIA BACKGROUND CHECK?

UCIA, which stands for the Uniform Conviction Information Act, is the type of background checks used by the HCWR prior to the implementation of the fingerprint-based background checks (prior to October 2007). A UCIA background check is no longer valid for use with the HCWR. If someone on the HCWR has a UCIA background check, that person's Work Eligibility will show "Not Yet Determined." A new or potential employer must initiate a Livescan request to conduct a fingerprint-based background check for that individual.

### WHAT IS A FEE\_APP BACKGROUND CHECK?

A FEE\_APP, which stands for a Fee Applicant Inquiry, is a fingerprint-based criminal history

records check requested through the Illinois State Police (ISP). When a FEE\_APP background check is conducted, ISP stores the fingerprints for the HCWR. If there is any new conviction or other change to the criminal history associated with those fingerprints, ISP provides notification to the HCWR. That is why **there is no need to send anyone who already has a FEE\_APP to have his/her fingerprints scanned again.**

#### WHAT IS A CAAPP BACKGROUND CHECK?

A CAAPP, which stands for Criminal Activity on Applicant, is a background check that is generated by ISP when there is a new conviction for someone who originally had a FEE\_APP. If the courts report to ISP any new disposition that is considered a conviction, a CAAPP will be generated. A CAAPP does not generate if something has been removed from a person's record (such as in the case of expungement). A CAAPP does not necessarily mean that a person has a new **disqualifying conviction**; the new conviction information might be for an offense that is not one of the HCWR's disqualifying convictions.

#### CAN I SEND MY EMPLOYEES TO ANY FINGERPRINT VENDOR FOR A BACKGROUND CHECK?

No. For background checks initiated through the HCWR, the employee must be sent to one of the approved Livescan vendors. All currently approved vendors will be listed on the Livescan request form printed from the HCWR.

#### OUR FACILITY RECENTLY HAD FOUR EMPLOYEES FINGERPRINTED. WE HAVE RECEIVED THE RESULTS FOR THREE OF THOSE. DOES THAT MEAN THERE IS A PROBLEM WITH THE ONE REMAINING?

No. The results of some background checks are received more quickly than others. There may be a number of reasons for this. Sometimes, information transmitted by the Livescan vendor does not match information obtained from ISP. At other times, ISP has to verify information from a background check with a county court system because the information is incomplete or inconsistent. ISP has 45 days to return the background check results to the HCWR. All background check results are automatically uploaded to the HCWR, and they will be posted on the employee's profile. If results of a background check have not been posted within 45 days, you can contact the HCWR at (844) 789- 3676.

#### OUR FACILITY DID NOT RECEIVE THE AUTOMATIC E-MAIL FROM THE HCWR WITH AN EMPLOYEE'S BACKGROUND CHECK RESULTS. CAN YOU RE-SEND THAT E-MAIL SO WE HAVE IT FOR OUR RECORDS?

The HCWR automatically sends an e-mail to the last known employer when a determination has been made on an employee's background check. Since those e- mails are generated automatically by our system, we cannot re-send them. You are **not required** to print those e-mails for your files as proof of an employee's eligibility for employment. You can instead print his/her profile page for your files. In fact, if you are waiting for an employee's background check results, you should be monitoring his/her profile page so you can see when a determination has been made.

If your facility is not receiving the determinations e-mails, you should check the HCWR to see what e-mail account is listed as the contact information. From the HCWR, click the "Maintenance" tab at the top, then click "Edit" next to your facility's name. At the bottom of that

page, there is a section for “Background Check Contact Information.” Verify that the name and/or e-mail address in that section is for the correct person (or change it if necessary), then click “Save.”

## EMPLOYEE PROFILES

### WHAT DOES “WORK ELIGIBILITY” MEAN? HOW CAN I TELL IF AN EMPLOYEE IS ELIGIBLE TO WORK?

Recently enacted legislation requires the Health Care Worker Registry (HCWR) to clearly show an employee’s eligibility to work in the health care field. As a result, an employee’s HCWR profile now includes a determination of “Work Eligibility”; this is near the top of the profile page, just below the employee’s name. The Work Eligibility will be one of the following: “Eligible” (highlighted in green), “Ineligible” (highlighted in red), or “Not Yet Determined” (highlighted in orange/yellow). Descriptions of each type appear below:

- “Eligible” (with green highlighting) means an employee is eligible to work in the health care field. That employee has had a fingerprint-based background check (either a FEE\_APP or a CAAPP). “Eligible” means either he/she had no disqualifying criminal convictions, or he/she has been granted a waiver for any disqualifying convictions. (Employers can see information about disqualifying criminal convictions and waivers, along with the status of those waivers.)
- “Ineligible” (with red highlighting) means an employee is **not eligible** to work in the health care field. There are two potential situations that would result in an “Ineligible” determination:
  - An employee with an Administrative Finding of Abuse, Neglect, and/or Theft (ANT Finding) is ineligible for work. ANT Findings are not waivable; an employee with an ANT Finding is prohibited from working in a direct patient care role.
  - An employee who has one or more disqualifying criminal convictions and who has no waiver granted is also ineligible for work. Employers can see information about disqualifying criminal convictions and waivers, along with the status of those waivers. If there is no waiver, or if a waiver is listed with a status of “Pending,” “Denied,” “Revoked,” or “Returned,” that employee is not eligible to work. An employee listed as “Ineligible” for this reason can submit a waiver application if he/she meets certain waiver eligibility requirements.
- “Not Yet Determined” (with orange/yellow highlighting) means an employee has not had a fingerprint-based background check (either a FEE\_APP or a CAAPP). It might mean the employee has never had a background check, or it might mean he/she had only a UCIA background check. An employer wishing to hire such an employee must initiate a Livescan request and send the employee to have his/her fingerprints scanned for a FEE\_APP background check. Once the HCWR receives the background check results and makes a determination on those results, that employee’s “Work Eligibility” will change to either “Eligible” or “Ineligible.”

“Work Eligibility” indicates only whether someone is **generally** eligible to work in the health care field. **It does not indicate whether an employee’s CNA certification is active.** When hiring an employee for a CNA position (or other position that requires certification), **employers must check the “Certifications” section and the “Training and Work History” section.** For CNAs, if the employee has not worked in a **direct patient care role** for more than 24 months, this employee would need to recertify to make his/her CNA certification active—even if the “Training and Work History” shows “Active. **Employers must also be performing the**

**Registry Checks** (the six Registries that are checked when initiating a Livescan request) on all new employees.

#### HOW LONG DO I HAVE TO ENTER HIRE DATES AND LAST DAY DATES FOR EMPLOYEES?

Employers are required to enter an employee's start date within 30 days after the employee is hired. Employers are also required to enter the last day worked within 30 days after the employee has been terminated. In addition, employers must verify continuing employment for each employee at least once a year.

#### WHEN I AM CHECKING THE 6 REGISTRIES, WHAT DO I DO IF ONE OF THE STATES/TERRITORIES IS UNAVAILABLE ON THE NATIONAL SEX OFFENDER PUBLIC REGISTRY (NSOPR)?

Employers are required to conduct internet searches for employees on the following web sites:

- Health and Human Services Office of Inspector General
- Illinois Sex Offenders Registration
- Illinois Department of Corrections Sex Registrant
- Illinois Department of Corrections Inmate Search
- Illinois Department of Corrections Wanted Fugitives
- National Sex Offender Public Registry (NSOPR)

From time to time, one or more of the states or territories that link to the NSOPR may be unavailable. This will be noted at the top of the website. If this happens, **you will be unable to continue with the background check at that time**. You will need to check the NSOPR website periodically until it is again available. At that time, you can continue to process the background check for the employee.

#### WHAT DOES IT MEAN IF ONE OF MY EMPLOYEES HAS AN "ABUSE, NEGLECT, AND/OR THEFT ADMINISTRATIVE FINDING"? IS THIS A CRIMINAL CONVICTION? CAN HE/SHE REQUEST A WAIVER FOR THIS?

Criminal offenses are completely separate from Administrative Findings. Criminal offenses have gone through the criminal justice process (with an arrest, trial, and conviction). An Administrative Finding of Abuse, Neglect, and/or Theft (ANT Finding), however, is the result of a complaint against a CNA that has been investigated and substantiated. ANT Findings can be investigated by the IDPH or, for facilities under its jurisdiction, by the Illinois Department of Human Services (IDHS). In general, a CNA under investigation is notified and given a certain amount of time in which to request an administrative hearing. If a hearing is requested, the CNA may be represented by legal counsel and may present evidence or witnesses. If the administrative judge rules that the finding is substantiated, a final order is issued. Once the final order has been issued, the ANT Finding is placed on the employee's HCWR profile.

There is a Federal law that prevents a health care employer from hiring an employee with an ANT Finding for any position that has a direct patient care role. There is no waiver process for ANT Findings. An employee can petition to have an ANT Finding for Neglect removed after at least one year has passed from the final order date; however, ANT Findings for Abuse or Theft cannot be removed from the HCWR.